

EXHIBIT 1

HERBERT I. ELLIS, P.C.
ELLIS LAW CENTER
87 SOUTH STREET
FREEHOLD, NJ 07728
Tel: 732-308-0200
Fax: 732-577-0100

Attorney for Plaintiff Edward & Evelyn Telchin

EDWIN TELCHIN and EVELYN TELCHIN, his wife

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO.: L-5610-12

Plaintiff(s),

-vs-

CIVIL ACTION

ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD, MONROE FOOT & ANKLE CARE, PC, SAINT PETER'S UNIVERSITY HOSPITAL, JOHN DOE 1-10 (fictitious names) and ABC, INC. 1-10 (fictitious entities),

SUMMONS

Defendant(s)

From The State of New Jersey To the Defendant(s) Named Above:

Name of Defendant to be Served: Rochelle Volosov, MD

Address of Defendant to be Served: 444 Perry Drive
North Brunswick, NJ 08902

The plaintiff named above has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this summons states the basis for the lawsuit. If you dispute this Third Party Complaint, you or your attorney must file a written answer or motion or proof of service with the Deputy Clerk of the Superior Court within thirty five (35) days from the date you received this summons, not counting the date you received it. (The address of each Deputy Clerk of the Superior Court is provided). If the complaint is one of foreclosure then you must file your written answer or motion or proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN 971 Trenton, NJ 08625. A filing fee* payable to the [Clerk of the Superior Court] Treasurer, State of New Jersey and a completed Case Information Statement (available from the Deputy Clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to the plaintiff's attorney whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the Court to hear your defense.

If you do not file a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is answered against you the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford to pay an attorney, you may call the Legal Services Office in the county where you live. A list of these offices is provided. If you do not have an attorney or are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one the Lawyer Referral Services. A list of these numbers are provided.

Dated: 10/19/12

/s/Jennifer Perez

Jennifer Perez, Acting Superior Court Clerk

ATLANTIC COUNTY ATTN: Deputy Clerk 1201 Bacharach Blvd Atlantic City, NJ 08401 Lawyer Referral: 809-345-3444 Legal Services: 609-348-4200	GLOUCESTER COUNTY ATTN: Deputy Clerk 1 North Broad Street Woodbury, NJ 08096 Lawyer Referral: 856-848-4589 Legal Services: 856-964-2010	OCEAN COUNTY ATTN: Deputy Clerk 118 Washington Street Toms River, NJ 08753 Lawyer Referral: 732-240-3666 Legal Services: 732-341-2727
BERGEN COUNTY ATTN: Deputy Clerk 10 Main Street Hackensack, NJ 07601 Lawyer Referral: 201-488-0044 Legal Services: 201-487-2166	HUDSON COUNTY ATTN: Deputy Clerk 595 Newark Avenue Jersey City, NJ 07306 Lawyer Referral: 201-798-2727 Legal Services: 201-792-6363	PASSAIC COUNTY ATTN: Deputy Clerk 77 Hamilton Street Paterson, NJ 07505 Lawyer Referral: 973-278-9223 Legal Services: 973-345-7171
BURLINGTON COUNTY ATTN: Deputy Clerk 49 Rancocas Road Mt. Holly, NJ 08060 Lawyer Referral: 609-261-1088 Legal Services: 609-261-1088	HUNTERDON COUNTY ATTN: Deputy Clerk 65 Park Avenue Flemington, NJ 08822 Lawyer Referral: 908-735-3611 Legal Services: 908-782-7979	SALEM COUNTY ATTN: Deputy Clerk 92 Market Street Salem, NJ 08079 Lawyer Referral: 609-935-5629 Legal Services: 609-451-0003
CAMDEN COUNTY ATTN: Deputy Clerk 101 South Fifth Street Camden, NJ 08103 Lawyer Referral: 856-964-4520 Legal Services: 856-964-2010	MERCER COUNTY ATTN: Deputy Clerk 209 South Broad Street Trenton, NJ 08650 Lawyer Referral: 609-585-6200 Legal Services: 609-695-6249	SOMERSET COUNTY ATTN: Deputy Clerk 20 North Bridge Street Somerville, NJ 08876 Lawyer Referral: 908-685-2323 Legal Services: 908-231-0840
CAPE MAY COUNTY ATTN: Deputy Clerk 9 North Main Street Cape May, NJ 08210 Lawyer Referral: 609-463-0313 Legal Services: 609-465-3001	MIDDLESEX COUNTY ATTN: Deputy Clerk 1 JFK Square New Brunswick, NJ 08903 Lawyer Referral: 732-828-0053 Legal Services: 732-249-7600	SUSSEX COUNTY ATTN: Deputy Clerk 43-47 High Street Newton, NJ 07860
CUMBERLAND COUNTY ATTN: Deputy Clerk Broad & Fayette Street Bridgeton, NJ 08302 Lawyer Referral: 856-692-6207 Legal Services: 856-964-2010	MONMOUTH COUNTY ATTN: Deputy Clerk 71 Monument Park Freehold, NJ 07728 Lawyer Referral: 431-5544 Legal Services: 732-866-0020	UNION COUNTY ATTN: Deputy Clerk 2 Broad Street Elizabeth, NJ 07207 Lawyer Referral: 908-685-2323 Legal Services: 908-827-4769
ESSEX COUNTY ATTN: Deputy Clerk 50 West Market Street Newark, NJ 07102 Lawyer Referral: 973-622-7753 Legal Services: 973-622-0063	MORRIS COUNTY ATTN: Deputy Clerk 10 Park Place Morristown, NJ 07960 Lawyer Referral: 973-267-5882 Legal Services: 973-285-6911	WARREN COUNTY ATTN: Deputy Clerk 413 2nd Street Belvidere, NJ 07823 Lawyer Referral: 973-267-5882 Legal Services: 973-475-2010

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		<small>FOR USE BY CLERK'S OFFICE ONLY</small> PAYMENT TYPE: <input checked="" type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHQ/CK NO. A 11-00 AMOUNT: OVERPAYMENT: BATCH NUMBER:
	Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		
ATTORNEY / PRO SE NAME Eric Christopher Landman, Esq.		TELEPHONE NUMBER (732) 308-0200	COUNTY OF VENUE Middlesex
FIRM NAME (If applicable) Law Offices of Herbert I. Ellis, P.C.		DOCKET NUMBER (when available) MID-L-5610-12	
OFFICE ADDRESS 87 South Street Freehold, NJ 07728		DOCUMENT TYPE FIRST AMENDED COMPLAINT	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> No	
NAME OF PARTY (e.g., John Doe, Plaintiff) Edward & Evelyn Telchin, Plaintiffs		CAPTION TELCHIN vs ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD MONROE FOOT & ANKLE CARE, PC and SAINT PETER'S UNIVERSITY HOSPITAL	
CASE TYPE NUMBER (See reverse side for listing) 604		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS	
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> None <input checked="" type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input type="checkbox"/> No			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 		<i>Herbert I. Ellis, Esq.</i> 8CT-11-00-2012	

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Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)
Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 598 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- | | |
|---|--|
| <ul style="list-style-type: none"> 280 ZELNORM 285 STRYKER TRIDENT HIP IMPLANTS 288 PRUDENTIAL TORT LITIGATION 289 REGLAN | <ul style="list-style-type: none"> 290 POMPTON LAKES ENVIRONMENTAL LITIGATION 291 PELVIC MESH/GYNECARE 292 PELVIC MESH/BARD 293 DEPUY ASR HIP IMPLANT LITIGATION |
|---|--|

Mass Tort (Track IV)

- | | |
|---|---|
| <ul style="list-style-type: none"> 248 CIBA GEIGY 266 HORMONE REPLACEMENT THERAPY (HRT) 271 ACCUTANE/ISOTRETINOIN 274 RISPERDAL/SEROQUEL/ZYPREXA 278 ZOMETA/AREDIA 279 GADOLINIUM | <ul style="list-style-type: none"> 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL 282 FOSAMAX 284 NUVARING 286 LEVAQUIN 287 YAZ/YASMINOCELLA 601 ASBESTOS |
|---|---|

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59

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22 OCT 15 AM 11:01
CLERK'S OFFICE

LAW OFFICES OF HERBERT I. ELLIS, PC
ELLIS LAW CENTER
87 SOUTH STREET
FREEHOLD, NJ 07728

Tel: (732) 308-0200 Fax:(732) 577-0100

Attorney for Plaintiff, Edward & Evelyn Telchin

EDWARD TELCHIN and EVELYN TELCNIN, his wife : SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION - MIDDLESEX COUNTY
: DOCKET NO. MID-L-5610-12

Plaintiff(s),

CIVIL ACTION

-vs-

ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD, MONROE FOOT & ANKLE CARE, PC, SAINT PETER'S UNIVERSITY HOSPITAL, JOHN DOE 1-10 (fictitious names) and ABC, INC. 1-10 (fictitious entities),

Defendant(s)

: FIRST AMENDED COMPLAINT, JURY DEMAND,
: DESIGNATION OF TRIAL COUNSEL,
: DEMAND FOR TRIAL BY JURY,
: DEMAND FOR TRANSCRIPTION AND OFFICE
: RECORDS
: DEMAND FOR ANSWER TO INTERROGATORIES,
: AFFIDAVIT OF MERIT

Plaintiff, EDWARD TELCHIN and EVELYN TELCHIN, his wife, residing at 8 Tidewater Place in the Township of Monroe, County of Middlesex and State of New Jersey, complaining of the Defendants, deposes and says:

FIRST COUNT

- At all times material to the within cause of action, ELLIOT PEREL, DPM, M.D. and ROCHELLE VOLOS, MD were medical doctors specializing in the field of Podiatric medicine and were duly licensed to practice medicine under the laws of the State of New Jersey, having offices located at 241 Forsgate Drive, Suite 206 in the Township of Jamesburg, State of New Jersey, or elsewhere, and as such, said Defendant professed and held themselves out to the public, and in particular to the Plaintiff, EDWARD TELCHIN, as being skilled, careful and diligent in the practice of their profession as Podiatrists.

2. At all times material to the within cause of action, Defendant, MONROE FOOT & ANKLE CARE, PC was a business entity organized and existing under the laws of the State of New Jersey, with its principal place of business located at 241 Forsgate Drive, Suite 206 in the Township of Jamesburg, State of New Jersey. Said Defendant held itself out to the public, and to the Plaintiff, EDWARD TELCHIN, as being fully and adequately equipped and staffed with trained expert physicians, nurses and other healthcare providers capable of providing healthcare in connection with the conditions from which the Plaintiff, EDWARD TELCHIN, suffered during his treatment with the Defendants.

3. During the course of treating the Plaintiff and in connection with the medical services provided to him, beginning on November 23, 2009 and continuing through November 11, 2010, the Defendants negligently and carelessly failed to exercise ordinary care, failed to exercise that degree of skill, diligence and care commonly exercised by other doctors in like circumstances giving due regard to the existing state of knowledge in medicine, failed to properly treat the Plaintiff, failed to timely diagnose the Plaintiff's condition, failed to apprise the Plaintiff of the risks and options available to him in connection with the services rendered, failed to properly treat his condition and otherwise failed to act as prudent, skillful and careful medical doctors in connection with the services provided to the Plaintiff.

4. On August 27, 2010, Defendant ELLIOT PEREL, DPM and ROCHELLE VOLOSO, MD performed Bunionectomy Surgery, the Defendants negligently and carelessly failed to exercise ordinary care, failed to exercise that degree of skill, diligence and care commonly exercised by other doctors in like circumstances giving due regard to the existing state of knowledge in medicine, failed to properly treat the Plaintiff, failed to timely diagnose the Plaintiff's condition, failed to apprise the Plaintiff of the risks and options available to him in connection with the services rendered, failed to properly treat his condition and otherwise failed to act as prudent, skillful and careful medical doctors in connection with the services provided to the Plaintiff

5. As a direct and proximate result of the negligence and professional malpractice of the Defendants, as aforesaid, the Plaintiff sustained great pain and suffering of the mind and body, has and did sustain permanent bodily injuries, has and did incur medical expenses in order to correct the conditions caused by the Defendants, has and was unable to attend to his ordinary routine, employment and affairs and was otherwise damaged.

6. The Plaintiff first had reason to suspect that the Defendants committed malpractice when he obtained a second opinion from Dr. Elliot Diamond on or about January 10, 2011.

7. Defendant, MONROE FOOT & ANKLE CARE, PC is liable for the negligence of the Defendants, ELLIOT PEREL, DPM and ROCHELLE VOLOSO, MD under the doctrine of respondeat superior or otherwise.

WHEREFORE, Plaintiff, EDWARD TELCHIN, demands judgment against the Defendants, ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD and MONROE FOOT & ANKLE CARE, PC in the amount of his damages, together with interest and costs of suit.

SECOND COUNT

1. Plaintiff, EDWARD TELCHIN repeats and realleges each and every allegation contained in the First Count as if set forth at length herein.

2. At all times material to the within cause of action, Defendant, SAINT PETER'S UNIVERSITY HOSPITAL was a business entity organized and existing under the laws of the State of New Jersey, with its principal place of business located at 254 Easton Avenue in the City of New Brunswick, State of New Jersey. Said Defendant held itself out to the public, and to the Plaintiff, EDWARD TELCHIN, as being fully and adequately equipped and staffed with trained expert physicians, nurses and other healthcare providers capable of providing healthcare in connection with the conditions from which the Plaintiff, EDWARD TELCHIN, suffered during his treatment with the Defendants.

3. Defendants, ELLIOT PEREL, DPM and ROCHELLE VOLOSO, MD performed Bunionectomy Surgery at SAINTS PETER'S UNIVERSITY HOSPITAL, the Defendants negligently and carelessly failed to exercise ordinary care, failed to exercise that degree of skill, diligence and care commonly exercised by other doctors in like circumstances giving due regard to the existing state of knowledge in medicine, failed to properly treat the Plaintiff, failed to timely diagnose the Plaintiff's condition, failed to apprise the Plaintiff of the risks and options available to him in connection with the services rendered, failed to properly treat his condition and otherwise failed to act as prudent, skillful and careful medical doctors in connection with the services provided to the Plaintiff

4. As a direct and proximate result of the negligence and professional malpractice of the Defendants, as aforesaid, the Plaintiff sustained great pain and suffering of the mind and body, has and did sustain permanent bodily injuries, has and did incur medical expenses in order to correct the conditions caused by the Defendants, has and was unable to attend to his ordinary routine, employment and affairs and was otherwise damaged.

WHEREFORE, Plaintiff, EDWARD TELCHIN, demands judgment against the Defendant, SAINTS PETER'S UNIVERSITY HOSPITAL in the amount of his damages, together with interest and costs of suit.

THIRD COUNT

1. Plaintiff, EDWARD TELCHIN, hereby repeat each and every allegation contained in the First and Second Counts of this Complaint as if set forth at length herein.

2. JOHN DOES (fictitious names) and ABC INC. 1-10 (fictitious entities), are intended to represent any person, business or corporation who was negligent in the discharge of their duties as to operate and provide care and treatment to the Plaintiff so that he would receive no injuries there from.

3. Defendants, JOHN DOE 1-10 and ABC INC. 1-10 (fictitious names/entities), were medical doctors duly licensed to practice medicine under the laws of the State of New Jersey, and as such, said Defendants professed and held themselves out to the public, and in particular to the Plaintiff, EDWARD TELCHIN, as being skilled, careful and diligent in the practice of their profession.

4. As a direct and proximate result of the negligence and professional malpractice of the Defendants, as aforesaid, the Plaintiff sustained great pain and suffering of the mind and body, has and did sustain permanent bodily injuries, has and did incur medical expenses in order to correct the conditions caused by the Defendants, has and was unable to attend to his ordinary routine, employment and affairs and was otherwise damaged.

WHEREFORE, Plaintiff, EDWARD TELCHIN, demands judgment against the Defendants, JOHN DOE 1-10 and ABC INC. 1-10 (fictitious names/entities), in the amount of his damages, together with interest and costs of suit.

FOURTH COUNT

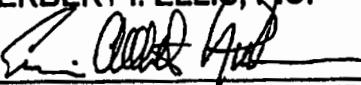
1. Plaintiff, EVELYN TELCHIN, hereby repeat each and every allegation contained in the First, Second and Third Counts of this Complaint as if set forth at length herein.
2. At the time and place aforesaid and continuing to the present, the plaintiff, EVELYN TELCHIN, was and still is the lawful wife of the plaintiff, EDWARD TELCHIN, and, as such, is entitled to her society, companionship, services and consortium.
3. As a direct result of the carelessness and negligence of the defendants, ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD, MONROE FOOT & ANKLE CARE, PC, ST. PETER'S UNIVERSITY HOSPITAL, JOHN DOE 1-10 and ABC INC. 1-10, has been and shall in the future be deprived of the society, companionship, services and consortium of her husband.

WHEREFORE, plaintiff, EVELYN TELCHIN, demands judgment against the defendants, ELLIOT PEREL, DPM, ROCHELLE VOLOSO, MD, MONROE FOOT & ANKLE CARE, PC, ST. PETER'S UNIVERSITY HOSPITAL, JOHN DOE 1-10 and ABC INC. 1-10, jointly, individually or, in the alternative, together with interest and costs of suit.

HERBERT I. ELLIS, P.C.

Dated: October 11, 2012

By:


ERIC CHRISTOPHER LANDMAN, ESQ.
Attorney(s) for the Plaintiff,
Edward & Evelyn Telchin

DEMAND FOR TRIAL BY JURY

Plaintiffs, EDWARD TELCHIN and EVELYN TELCHIN, his wife, hereby demand a trial by jury as to all issues so triable.

DESIGNATION OF TRIAL COUNSEL

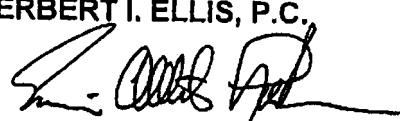
Pursuant to Rule 4:25-4, Eric Christopher Landman, Esq., is hereby designated as trial counsel on behalf of the plaintiffs, EDWARD TELCHIN and EVELYN TELCHIN, his wife.

CERTIFICATION PURSUANT TO RULE 4:5-1

I certify that, pursuant to R 4:5-1, to my knowledge, and based on the information available to me at this time, the matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding and that no additional parties are known at this time that should be added.

HERBERT I. ELLIS, P.C.

By:



ERIC CHRISTOPHER LANDMAN, ESQ.
Attorney(s) for the Plaintiffs,
Edward & Evelyn Telchin

Dated: October 11, 2012

DEMAND FOR ANSWERS TO UNIFORM AND SUPPLEMENTAL INTERROGATORIES

PLEASE TAKE NOTICE that pursuant to Rule 4:17-1(b)(ii)(2), Plaintiff hereby demands answers to Uniform Interrogatories Form C and Form C(3) within sixty (60) days of the filing of Defendant's Answer to this Complaint.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 4:17-1(b)(i)(1) and Rule 4:17-2, Plaintiff hereby demands answers to the attached Supplemental Interrogatories within sixty (60) days of the filing of Defendant's Answer to this Complaint.

DEMAND FOR TRANSCRIPTION AND OFFICE RECORDS

Plaintiffs hereby demand that the Defendants produce a certified copy of all office records, telephone calls, billing and payments as well as a typed transcription of any and all of his/her handwritten office records and/or hospital records, within thirty (30) days of service of the Complaint.

HERBERT I. ELLIS, P.C.

Dated: October 11, 2012

By:


ERIC CHRISTOPHER LANDMAN, ESQ.
Attorney(s) for the Plaintiffs,
Edward & Evelyn Telchin

**SUPPLEMENTAL INTERROGATORIES PERMITTED PURSUANT
TO RULE 4:17-1(b)(i)**

S1. State whether this Defendant has ever served as an expert witness in any matter including, but not limited to matters where you were formally named as an expert, matters in which you provided an expert opinion without being formally named as an expert, etc., and set forth the name of the matter or matters, the name of the attorney or other entity retaining you, whether you testified in either a deposition or at trial and annex hereto copies of any and all reports rendered by you.

S2. As to each person identified in your answer to Form C Uniform Interrogatory 4, set forth a summary of all relevant facts relating to this case known to each such person.

S3. Please describe in complete detail the physical examination which you performed on the Plaintiff the first time you saw the Plaintiff for the problem for which you were attending the Plaintiff, and submit a comprehensive list of your findings.

S4. If you have been certified in any specialty by the National Board of Medical Examiners or by any American Specialty or sub-specialty board, please name each such specialty and/or sub-specialty board by which you are certified and the date of your certification.

S5. Please describe in detail the course of the Plaintiff's illness or condition from the time you first undertook the Plaintiff's care for the problem for which you were attending to the Plaintiff until your professional relationship with the Plaintiff terminated.

S6. Please submit a comprehensive list of all diagnostic tests or medical procedures, including routine blood and urine studies, which you ordered or performed on the Plaintiff or which were ordered or performed on the Plaintiff by someone acting in your behalf, from the time you first undertook the Plaintiff's care until your professional relationship with the Plaintiff terminated, and indicate as to each such diagnostic test or medical procedure, the date and time it was ordered, the date and time it was performed, the reason it was felt necessary that it be performed, and the test results.

S7. Please specify precisely and describe fully the treatment, including drugs (with dosages, routes and duration of administration) IV fluids, surgery, physiotherapy, prosthesis, bandages and any other therapeutic agents or measures, which you ordered or prescribed for the Plaintiff from the time you first undertook the Plaintiff's care until the time when your professional relationship with the Plaintiff terminated, indicating as to each the date, time and manner in which you ordered or prescribed it, the date and time it was instituted and the date and time it was completed or discontinued.

S8. State whether any photographs, videos or other recordings of any type were made of any treatment or procedure performed upon the Plaintiff's decedent and if so identify all such photographs, videos or other recordings and provide a copy of all such photographs, videos or other recordings herewith.

HERBERT I. ELLIS, P.C.

Dated: October 11, 2012

By:


ERIC CHRISTOPHER LANDMAN, ESQ.
Attorney(s) for the Plaintiffs,
Edward & Evelyn Telchin

Sep. 21, 2012 11:04AM

No. 0849 P. 1

Herbert L Ellis
Freehold Executive Center
4400 Route 9 South
Suite 3000
Freehold, NJ 07728
(732) 308-0200
Attorney for Plaintiff

EDWARD TELCHIN

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MID-L-5610-12
DOCKET NO.:

Plaintiffs,

vs.

ROCHELLE VOLOSO, MD

CIVIL ACTION

Defendant,

AFFIDAVIT OF MERIT
Pursuant to N.J.S.A. 2A: 53A-27

STATE OF NEW JERSEY

ss:

COUNTY OF

PHILIP J. OBIEDZINSKI, D.P.M., being of full age, duly sworn hereby states under oath:

1. I am a licensed Podiatrist in the state of New Jersey.
2. I am Board Certified in the area of Podiatric Surgery and therefore have particular expertise in this area.
3. I have devoted my practice to this area for a period of at least 30 years.

4. Based upon my understanding of the facts involved in the underlying matter, it appears to me that there exists a reasonable probability that the skill or knowledge exercised or exhibited by Rochelle Volosov, MD, assistant in the subject

Sep. 21, 2012 11:04AM

No. 0849 P. 2

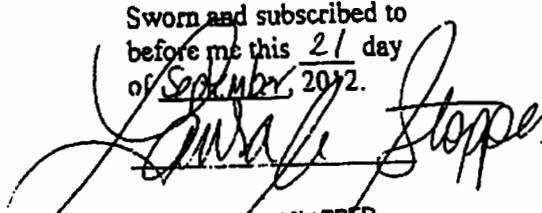
malpractice action, fell outside acceptable professional standards or treatment
practices as they apply to the defendant.

5. I have no financial interest in the outcome of this case.

Philip J. Obiedzinski DPM
PHILIP J. OBIEDZINSKI, DPM

Dated: September 11, 2012

Sworn and subscribed to
before me this 21 day
of September, 2012.


LAURA A. STOPPER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 6, 2016

Herbert I. Ellis
Freehold Executive Center
4400 Route 9 South
Suite 3000
Freehold, NJ 07728
(732) 308-0200
Attorney for Plaintiff

EDWARD TELCHIN

Plaintiffs,

vs.

ELLIOTT PEREL, DPM

Defendant,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
DOCKET NO.: L- 5610-12

CIVIL ACTION

AFFIDAVIT OF MERIT
Pursuant to N.J.S.A. 2A: 53A-27

STATE OF NEW JERSEY

ss:

COUNTY OF

PHILIP J. OBIEDZINSKI, D.P.M., P.A., being of full age, duly sworn hereby states
under oath:

1. I am a licensed in Podiatric in the state of New Jersey.
2. I am a specialist in the area of Podiatric Surgery and therefore have particular expertise in this area.
3. I have devoted my practice to this area for a period of at least 29 years.

4. Based upon my understanding of the facts involved in the underlying matter, it appears to me that there exists a reasonable probability that the skill or knowledge exercised or exhibited by Elliott Perel, DPM in the subject malpractice action, fell

outside acceptable professional standards or treatment practices as they apply to the defendant.

5. I have no financial interest in the outcome of this case.

Philip J. Obiedzinski
PHILIP S. OBIEDZINSKI, DPM, PA

Dated: June 11, 2012

Sworn and subscribed to
before me this 24 day
of July, 2012.

Laura A. Stopper
LAURA A. STOPPER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 6, 2016